

Remarks

Reconsideration and allowance of the present patent application based on the foregoing Amendment and following remarks are respectfully requested.

By this Amendment, claims 9-11 have been amended to provide a clearer presentation of the claimed subject matter. Claim 22 has been newly added. Applicant submits that no new matter has been introduced. As such, claims 9-14, 17-18, and 21-22 are presented for examination of which claims 9, 11, 13, and 22 are independent.

ALLOWED CLAIMS

In the Advisory Action of April 17, 2009, the Examiner indicates that claims 13, 14, 17, 18, and 21 are allowed. Applicant thanks the Examiner for the indication of the allowed claims.

OBJECTED CLAIMS

Applicant understands that the Examiner's objection to claims 10 and 11, in the Advisory Action of April 17, 2009, means that claims 10 and 11 would be allowable if rewritten in independent form including all of the limitations of the base claim. Applicant have rewritten claim 11 in independent form including the recitations of previous claim 9 (i.e., claim 9 prior to the current Amendment). Also, newly added claim 22 includes recitations of previous claims 9 and 10.

As such, Applicant submits that claims 11 and 22 are also in allowable form.

REJECTION OF CLAIMS 9 AND 10 UNDER §103(a)

Claims 9-10 stand rejected over Mamontov '961 (SU 923961) in view of Jasim '528 (U.S. Patent No. 5,716,528). Applicant respectfully traverses this rejection.

Mamontov '961 clearly recites a process which requires the presence of halides. By contrast, claim 9 recites that the nitrosonium ion generator is added into the aqueous liquid without requiring the presence of a halide. Furthermore, claim 9 recites that the nitrosonium ion generator is added to remove nitrogen as nitrogen gas from organic-based

nitrogen contaminants at a controlled temperature. This results in removal of nitrogen from the aqueous liquid instead of formation of other compounds, such as oxides of nitrogen. Mamontov '961 clearly fails to disclose, teach or suggest this.

Jasim '528 fails to cure the deficiencies of Mamontov '961 identified above. For at least these reasons, Mamontov '961 and Jasim '528, either alone or in combination, fail to disclose, teach or suggest all the features of claim 9. As such, claim 9 is indeed patentable over the asserted references. And, because claim 10 depends from claim 9, claim 9 is allowable by virtue of dependency as well as for its additional recitations. Applicant respectfully requests that this rejection be withdrawn.

In addition, claim 10 recites that the nitrosonium ion generator is a nitrite in a non-oxidizing acidic media. Mamontov '961 discloses the use of nitric acid (an oxidizing acid), which would increase the nitrogen content (as nitrates) in the aqueous liquid. This would be counterproductive to the removal of nitrogen from the liquid. Strong oxidizing acids oxidize nitrogen to higher oxidation states, i.e., to nitrates instead of N₂. Strong oxidizing acids also convert the nitrosonium ion NO⁺ to the unstable nitronium ion NO₂⁺, and therefore would also be counterproductive to the removal of nitrogen from the liquid. For at least these additional reasons, Applicant respectfully requests that this rejection be withdrawn.

Conclusion

Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested.

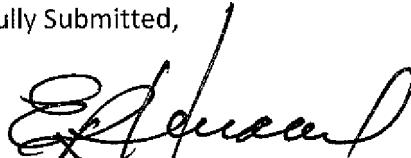
If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

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Respectfully Submitted,

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